



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/522,763	03/10/2000	Raymond Graj	838625/43	5785

7590 03/10/2003

Joel E Lutzker, Esq.
SCHULTE ROTH & ZABEL LLP
919 Third Avenue
New York, NY 10022

EXAMINER

SIMONE, TIMOTHY F

ART UNIT	PAPER NUMBER
----------	--------------

1761

DATE MAILED: 03/10/2003

17

Please find below and/or attached an Office communication concerning this application or proceeding.



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address : COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO. <i>mk</i>

EXAMINER	
ART UNIT	PAPER NUMBER
	17

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents.

Art Unit: 1761

REISSUE APPLICATION

The amendment filed February 04, 2003 proposes amendments to the claims that do not comply with 37 CFR 1.173, which sets forth the manner of making amendments in reissue applications. A supplemental paper correctly amending the reissue application is required.

1. Pursuant to 37 CFR 1.173(c), each claim amendment must be accompanied by an explanation of the support in the disclosure of the patent for the amendment (i.e., support for all changes made in the claims, whether insertions or deletions - see MPEP 1453).

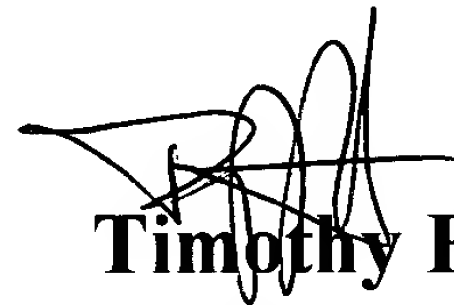
2. An amendment of a "new claim" (i.e., a claim not found in the patent, that was previously presented in the reissue application) must be done by presenting the amended "new claim" containing the amendatory material, and completely underlining the claim. See MPEP 1453. The presentation cannot contain any bracketing or other indication of what was in the previous version of the claim. This is because all changes in the reissue are made vis-a-vis the original patent, and not in comparison to the prior amendment. Although the presentation of the amended claim does not contain any indication of what is changed from the previous version of the claim, applicant must point out what is changed in the "Remarks" portion of the amendment or by a marked-up copy of the amended claims. Also, per 37 CFR 1.173(c) and as noted above, each change made in the claim must be accompanied by an explanation of the support in the disclosure of the patent for the change. Note the amended claims appearing in the response filed February 04, 2003 lack the required underlining.

Art Unit: 1761

Applicant is notified that any subsequent amendment to the specification and/or claims must comply with 37 CFR 1.173.

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Timothy Simone whose telephone number is 703-308-1277.



Timothy F. Simone
Primary Examiner
Group 1760
Art Unit 1761